

1 RUSS, AUGUST & KABAT  
2 Marc A. Fenster, State Bar No. 181067  
3 Email: [mfenster@raklaw.com](mailto:mfenster@raklaw.com)  
4 Alexander C.D. Giza, State Bar No. 212327  
5 Email: [agiza@raklaw.com](mailto:agiza@raklaw.com)  
6 Andrew D. Weiss, State Bar No. 232974  
7 Email: [aweiss@raklaw.com](mailto:aweiss@raklaw.com)  
8 12424 Wilshire Boulevard, 12<sup>th</sup> Floor  
9 Los Angeles, California 90025  
10 Telephone: (310) 826-7474  
11 Facsimile: (310) 826-6991

12 Attorneys for Plaintiff  
13 NEUROGRAFIX

14 K&L GATES LLP  
15 David T. McDonald  
16 Email: [david.mcdonald@klgates.com](mailto:david.mcdonald@klgates.com)  
17 925 Fourth Avenue  
18 Suite 2900  
19 Seattle, WA 98104-1158  
20 Telephone: (206) 623-7580  
21 Facsimile: (206) 623-7022  
22 Attorneys for Plaintiff  
23 WASHINGTON RESEARCH FOUNDATION

24 **UNITED STATES DISTRICT COURT**

25 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

26 NEUROGRAFIX, a California  
27 corporation; WASHINGTON  
28 RESEARCH FOUNDATION, a not-for-profit Washington corporation,

Plaintiffs,

vs.

29 SIEMENS MEDICAL SOLUTIONS  
30 USA, INC., a Delaware corporation; and  
31 SIEMENS AKTIENGESELLSCHAFT, a  
32 German Corporation,

Defendants.

Case No. 10-CV-1990 MRP (RZx)  
[Assigned to The Honorable Mariana  
R. Pfaelzer]

**EXHIBIT 18 TO DECLARATION  
OF AARON G. FILLER, M.D.,  
Ph.D., F.R.C.S., IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
SIEMENS' MOTION FOR  
PARTIAL SUMMARY  
JUDGMENT OF  
INDEFINITENESS OF  
"CONSPICUITY" IN CLAIMS 1, 3,  
7, 11, 12, 18, AND THEIR  
ASSERTED DEPENDENT  
CLAIMS IN U.S. PATENT NO.  
5,560,360**

First Amended Complaint Filed:  
July 30, 2010

